

David Green  
Assistant Professor  
Nagoya University Graduate School of Law  
[david.green@law.nagoya-u.ac.jp](mailto:david.green@law.nagoya-u.ac.jp)

## **Looking at Precedent: Lessons in Western European Immigration Policy for Japan**

*Keywords: Comparative Immigration Policy; Western Europe; Policy Convergence*

Immigration in Japan has long been a contentious issue. Proponents believe that an increased foreign population is necessary and inevitable in order to compensate for demographic and economic shortfalls resulting from Japan's low birthrate and long life expectancy. Opponents, for their part, are apprehensive about the ability of immigrants to assimilate, worry about a potential increase in crime, and express grave concern over the challenge that a large foreign born population could pose to Japanese culture. Nonetheless, the government has been experimenting with allowing foreign workers to fill needed holes in the workforce for a number of years now, for example with Latin Americans of Japanese descent in the manual labor sector (Roth, 2002), Philippine and Indonesian workers in the health care field (Asakawa & Sakanaka, 2007) and Asian trainees filling low-level industrial positions (Tsuda, 2006). Although it is not a particularly new or novel phenomenon in Japan, immigration rates in Japan remain low compared to the rest of the developed world.

With increased immigration being suggested as a potential solution to the demographic and economic problems Japan faces, the ramifications of wider-scale immigration that other countries have experienced should be considered. This paper thus aims to review immigration policy developments and their impacts in three Western European countries, and to compare them to the Japanese case. The countries of Western Europe have a number of similarities to Japan: many of their economies are highly developed, they experienced a similar postwar baby boom, are encountering "aging" societies comparable to Japan, and are also traditionally ethnically homogenous. Although there is a fair degree of variability, the Western European nations differ in the extent to which they have liberalized immigration (although they are bound by minimum EU standards) and the points in time at which they have done so. There is also quite a bit of variability in size of their overall populations and economies. However, these cases are the closest comparisons available to make to Japan in that there are economic and demographic similarities, and a demonstrated history of liberal immigration.

Because "Western Europe" is a relatively broad category, this paper considers the specific cases of France, Germany and Italy, comparing their immigration policy developments in the broad sense to those of Japan. Each country has a somewhat unique situation: France is an "old country" of immigration, where foreign nationals have been living for a fairly long period of time, yet it is only in recent years that issues relating to the immigrant population have been directly addressed. France also has a more liberal

*jus soli* policy, where the second generation born in France is automatically given French citizenship (Bird et al, 2011). Germany is a newer country of immigration, administering a guest worker program from 1955 to 1973 which resulted in wide-scale immigration, particularly from Turkey (Rauer, 2011). The German government is still dealing with the legacy of its guest worker program in the midst of trying to maintain otherwise strict immigration and citizenship policies. Italy is the newest country of immigration, with the largest flows of migrants entering in the early 1990s (Fiontelli & Sciortino, 2009). Where Italy has been fairly liberal in its policies, incorporating a number of previously illegal immigrants through successive waves of amnesties, Germany has tried to keep a fairly strict immigration regime. France seems to be in the middle, maintaining its principle of social equality for foreigners but hesitant to grant cultural rights (Koopmans, 2008).

In comparing the immigration policies and related developments of these three countries to Japan, I aim to test Cornelius' convergence theory (1994), stipulating that immigration policies will eventually converge over time. Countries are forced to handle issues of immigration in similar ways, leading to a limited range of action and ultimately some degree of uniformity in the resulting policy. I argue that these governments, including the government of Japan, are ultimately moving toward convergence, although there is still quite a long way to go. The actions of "older" immigration countries have and continue to inform the actions of "newer" immigration countries such as Japan, creating a path-dependent effect to some extent.

This research ultimately hopes to show potential policy outcomes that Japan could achieve were it to liberalize its immigration regime, making the case that earlier countries of immigration have had to follow similar routes. Further, these possible outcomes need not be limited to Japan. East Asia as a whole is developing, with countries such as South Korea, China and Taiwan also experiencing increased labor demand and experimenting with more progressive immigration policies as a means of addressing their labor shortfalls. Consideration of a liberalized immigration regime and its consequences could easily apply to these cases as well.

#### Works Cited

- Asakawa, Akihiro & Sakanaka, Hidenori. 2007. "*Immigrant Nation Japan: 10 Million Immigrants Will Save Japan*". 移民国家ニッポン：1000万人の移民が日本を救う. 東京：日本加除出版. Tokyo : Nihon Kajo Shuppan.
- Bird, Karen, et al. 2011. "Voter Turnout Among Immigrants and Visible Minorities in Comparative Perspective". In Karen Bird, Thomas Saalfeld and Andreas Wust, eds. *The Political Representation of Immigrants and Minorities: Voters, Parties and Parliaments in Liberal Democracies*. New York: Routledge.
- Cornelius, Wayne. 2004. "Japan: the Illusion of Immigration Control". In Wayne Cornelius, Philip Martin & James Hollifield, eds. *Controlling Immigration: a Global Perspective*. Stanford, CA: Stanford University Press.

- Fiontelli, Claudia & Sciortino, Giuseppe. 2009. "The Importance of Being Southern: the making of policies of immigration control in Italy". *European Journal of Migration and Law* (2009): pp. 119-138.
- Koopmans, Ruud. 2008. "Tradeoffs between Equality and Difference: Immigrant integration, multiculturalism, and the welfare state in cross-national perspective". Discussion Paper, Berlin: Social Science Research Center Berlin (WZB). <http://www.econstor.eu/bitstream/10419/49774/1/584201079.pdf>
- Rauer, Valentin. 2011. "Migration and Integration Policies in Germany – Turkish Migrants' Associations and their Impact on Policy Reform. In Gabriele Vogt and Glenda Roberts, eds. *Migration and Integration – Japan in Comparative Perspective*. Munich: Deutsches Institut für Japanstudien.
- Roth, Joshua. 2002. *Brokered Homeland: Japanese Brazilian Migrants in Japan*. Ithaca: Cornell University Press.
- Tsuda, Takeyuki. 2006. "Localities and the Struggle for Immigrant Rights: The Significance of Local Citizenship in Recent Countries of Immigration". In Takeyuki Tsuda, ed. *Local Citizenship in Recent Countries of Immigration: Japan in Comparative Perspective*. Lanham, MD: Lexington Books.